

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	CASE NO. 7:13-CV-135 (HL)
	:	
v.	:	
	:	
\$112,995.00 IN UNITED STATES FUNDS,	:	
Defendant Property,	:	
	:	
JIMMY NGUYEN,	:	
Claimant.	:	

CONSENT ORDER

The Parties have executed and presented to the Court a Stipulation for Compromise Settlement and Release of Claims which is attached hereto and made a part of this Order, in which they agreed that \$100,000.00 shall be forfeited to the United States, and the remainder of the Defendant Property released to Claimant Jimmy Nguyen, through his counsel. Accordingly, the Court hereby makes the following Findings of Fact and Conclusions of Law:

1. The Court has jurisdiction of this matter pursuant to 28 U.S.C. ' ' 1345 and 1355, and venue is proper pursuant to 28 U.S.C. ' 1395.

2. The United States has furnished due and legal notice of these proceedings as required by law. All persons known to the United States to have a possible interest in the Defendant Property have received actual notice and service of the Complaint and Warrant for Arrest In Rem in this action.

3. Claimant filed a Claim and an Answer in these proceedings, asserting his interest in the Defendant Property. No other claims and answers have been filed, and the time for filing claims and answers has now expired.

4. There is sufficient evidence to warrant a conclusion, by a preponderance of evidence standard, that the Defendant Property is subject to forfeiture in accordance with 21 U.S.C. ' 881(a)(6).

THEREFORE, IT IS HEREBY ORDERED THAT:

1. All right, title, and interest of Claimant in \$100,000.00 of the Defendant Property is hereby forfeited to the United States.

2. All other right, title, and interest in \$100,000.00 of the Defendant Property is hereby forfeited to and vested in the United States, which shall have clear title to this property and may warrant good title to any subsequent transferee.

3. The United States Attorney General or his authorized designee shall dispose of this property in accordance with the law.

4. The United States Marshals Service shall coordinate the release of the funds in the amount of \$12,995.00, payable jointly to the Claimant Jimmy Nguyen, and his counsel Joe S. Habachy, Esq., The Grant Building, Suite 203, 44 Broad Street, N.W., Atlanta, Georgia, 30303.

5. Pursuant to 28 U.S.C. ' 2465, no parties shall be entitled to costs, including any costs under 28 U.S.C. ' 2412, nor shall the person or persons who made the seizure of the Defendant Property, nor any attorney, agent, or employee of the United States, be liable to suit or judgment on account of the seizure of the Defendant

Property or prosecution of the instant forfeiture action, there being reasonable cause shown for the seizure.

SO ORDERED, this 1st, day of April, 2014.

s/Hugh Lawson
HUGH LAWSON, SENIOR JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

THE ENTRY OF THE FOREGOING ORDER IS CONSENTED TO BY:

MICHAEL J. MOORE
UNITED STATES ATTORNEY

s/ DANIAL E. BENNETT
ASSISTANT UNITED STATES ATTORNEY
GEORGIA STATE BAR NO. 052683
ATTORNEY FOR PLAINTIFF

s/ JIMMY NGUYEN
CLAIMANT

s/ JOE S. HABACHY, ESQ.
ATTORNEY FOR CLAIMANT
Georgia Bar No. 367735

I certify that the originally executed document contains the signatures of all filers indicated herein and therefore represents consent for filing of this document.

MICHAEL J. MOORE
UNITED STATES ATTORNEY

s/ DANIAL E. BENNETT
ASSISTANT UNITED STATES ATTORNEY